

**REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

**Disposition of Claims**

Claims 1–7 are pending in this application. Claims 1 and 2 are independent. The remaining claims depend, directly or indirectly, from claims 1 and 2.

**Amendments to the Claims**

Claims 1–4 have been amended to clarify the claimed invention. Claim 1 has been amended to specify that “time intervals at which data of a header of the encoded video signal corresponding to the predetermined number of vertical periods is transmitted.” Claim 2 has been amended to specify that “a flag indicative of a header portion of the transmission signal is added to the header portion of the transmission signal such that time intervals at which data of a header of the encoded video signal corresponding to the predetermined number of vertical periods is transmitted conform to the predetermined number of vertical periods.” Support for these amendments can be found, for example, in paragraph [0032] of the specification. Claims 3 and 4 have been amended to depend from claim 2 and, accordingly, have been amended for antecedent basis. Support for these amendments can be found, for example, in the originally filed claims. No new matter has been added.

**Double Patenting**

As stated in the previous response, claims 1–2 stand provisionally rejected on the ground of non-statutory obviousness-type double patenting over U.S. Patent Application Serial No.

10/583,532. Applicant notes that this rejection will be addressed in due course after at least one of the patent applications involved is issued as a patent. Applicant respectfully notes that a provisional obviousness-type double patenting rejection may not be the only pending rejection in a patent application.

### **Rejections under 35 U.S.C. § 103**

Claims 1 and 2 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,010,032 (“Kikuchi”) and U.S. Patent No. 6,125,232 (“Taira”). To the extent that this rejection may still apply to the amended claims, the rejection is respectfully traversed.

One or more embodiments of the present invention relate to a signal generation device that generates an encoded transmission signal which is used for transmitting a video signal through radio communication. For example, as described in paragraph [0010] of the published specification, the transmission signal contains information obtained by encoding a video signal in units of a video signal corresponding to a predetermined number of vertical periods and a flag indicative of a header portion of the transmission signal is added to the header portion of the transmission signal. For example, as described in paragraph [0032] of the specification, encoding of the video signal is performed in units of a video signal corresponding to a predetermined number of vertical periods. While the amount of data generated by this encoding varies, the transmission intervals of data of the header of an encoded video signal corresponding to a predetermined number of vertical periods are always held in a unit of a predetermined number of vertical synchronization signals, i.e., the encoded frame start flag is transmitted at such intervals. As a consequence, on the reception side, decoding is performed on the basis of the encoded frame start flag which is received at fixed intervals, thereby achieving clock synchronization of a video signal reception.

Accordingly, independent claim 1 requires, *inter alia*, “time intervals at which data of a header of the encoded video signal corresponding to the predetermined number of vertical periods is transmitted conform to the predetermined number of vertical periods, and during transmission of the header data of the video signal corresponding to the predetermined number of vertical periods, information indicative of the header data is multiplexed and transmitted.” Similarly, independent claim 2 requires, *inter alia*, “a flag indicative of a header portion of the transmission signal is added to the header portion of the transmission signal such that time intervals at which data of a header of the encoded video signal corresponding to the predetermined number of vertical periods is transmitted conform to the predetermined number of vertical periods.”

On page 3 of the current Office Action, the Examiner admits that Kikuchi is silent with respect to “time intervals at which data of a header of the encoded video signal corresponding to the predetermined number of vertical periods is transmitted conform to the predetermined number of vertical periods” as required by independent claim 1. As such, Kikuchi is also silent with respect to “a flag indicative of a header portion of the transmission signal is added to the header portion of the transmission signal such that time intervals at which data of a header of the encoded video signal corresponding to the predetermined number of vertical periods is transmitted conform to the predetermined number of vertical periods” as required by independent claim 2.

Applicants respectfully assert that Taira fails to supply that which Kikuchi lacks. Specifically, Taira is silent with respect to a time interval at which the header data is transmitted in the encoded video signal correspond to a predetermined number of vertical periods conform to the predetermined number of vertical periods. Although Taira does disclose generating packets that include sub picture and audio data of image information, and transmitting the packets after the

addition of video blanking signals (VBI) and data search information (DSI), Taira is silent with respect to configuring a *time* interval at which the header data is transmitted in the encoded video signal to correspond to a predetermined number of vertical periods. In Taira, the information that is reconstructed has been recorded on a recording medium such as a compact disc (CD). As such, the time intervals between the transmissions of video information are not important and, thus, not disclosed or contemplated in the techniques disclosed in Taira.

Therefore, Taira fails to disclose or teach at least “time intervals at which data of a header of the encoded video signal corresponding to the predetermined number of vertical periods is transmitted conform to the predetermined number of vertical periods” as required by independent claim 1. Taira also fails to disclose or teach at least “a flag indicative of a header portion of the transmission signal is added to the header portion of the transmission signal such that time intervals at which data of a header of the encoded video signal corresponding to the predetermined number of vertical periods is transmitted conform to the predetermined number of vertical periods” as required by independent claim 2.

For at least the reasons above, independent claims 1 and 2 are patentable over Kikuchi and Taira, whether considered alone or in combination. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 4 and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kikuchi and U.S. Patent No. 5,781,599 (“Shiga”). To the extent that this rejection may still apply to the amended claims, the rejection is respectfully traversed.

For at least the reasons given above, independent claim 2 is patentable over Kikuchi. Shiga fails to supply that which Kikuchi lacks. Specifically, Shiga fails to disclose or teach “a flag

indicative of a header portion of the transmission signal is added to the header portion of the transmission signal such that time intervals at which data of a header of the encoded video signal corresponding to the predetermined number of vertical periods is transmitted conform to the predetermined number of vertical periods” as required by independent claim 2.

In Shiga, the clock signals at the transmission side and the reception side are independent of each other. As such, a difference, or error, between the clock signals is accumulated. The time lag gradually increases between the write-in rate of the bit stream into the FIFO at the transmission side and the read-out rate of the bit stream from the FIFO at the reception side. *See* column 4, lines 40–47 of Shiga. To compensate, Shiga teaches the transmission of a “sync time” to adjust the time lag. The sync time is only transmitted in packets which have a “0” as the data block number (DBN) in the data transmitted by the packet. *See* column 4, lines 29–35 of Shiga.

As explained above, in the claimed invention, clock synchronization of a video signal reception is based on decoding performed on the basis of the encoded frame start flag which is received at fixed intervals. Thus, Shiga is silent with respect to “a flag indicative of a header portion ... such that time intervals at which data of a header of the encoded video signal corresponding to the predetermined number of vertical periods is transmitted conform to the predetermined number of vertical periods.”

For at least the reasons above, independent claim 2 is patentable over Kikuchi and Shiga, whether considered alone or in combination. Dependent claims 4 and 5 are patentable over Kikuchi and Shiga for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

In the Office Action, the Examiner has listed claims 3 and 5 as rejected under 35 U.S.C. § 103(a) as being unpatentable over Kikuchi, Shiga, and U.S. Patent No. 6,310,922 (“Canfield”). However, given the context of the rejection, Applicants believe this is a typographical error and the rejection was meant to apply to claims 3 and 7. Regardless, to the extent that this rejection may still apply to amended claims 3, 5, or 7, the rejection is respectfully traversed.

For at least the reasons given above, independent claim 2 is patentable over Kikuchi, Taira, and Shiga, whether considered alone or in combination. Canfield fails to supply that which Kikuchi, Taira, and Shiga lack. Canfield merely discloses a synchronizing system capable of synchronizing signals at different rates. Specifically, Canfield discloses a first synchronizing system for developing the local system clock signal and a second synchronizing system for providing the (local) video signal display synchronization signals. The signals received by the antenna 10 in Canfield are merely a standard MPEG encoded signal. *See* Figure 1 and column 2, lines 45–47 of Canfield. Thus, Canfield fails to disclose or teach “a flag indicative of a header portion ... such that time intervals at which data of a header of the encoded video signal corresponding to the predetermined number of vertical periods is transmitted conform to the predetermined number of vertical periods” as required by independent claim 2.

For at least the reasons above, independent claim 2 is patentable over Kikuchi, Taira, Shiga and Canfield, whether considered alone or in combination. Dependent claims 3, 5, and 7 are patentable over Kikuchi, Taira, Shiga and Canfield for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kikuchi, Taira, Shiga, and Canfield. To the extent that this rejection may still apply to the amended claims, the rejection is respectfully traversed.

As described above, independent claim 1 is patentable over Kikuchi and Taira, whether considered alone or in combination. For at least the same reasons described above with regard to independent claim 2, Shiga and Canfield fail to supply that which Kikuchi and Taira lack. Specifically, Shiga and Canfield fail to disclose or teach at least “time intervals at which data of a header of the encoded video signal corresponding to the predetermined number of vertical periods is transmitted conform to the predetermined number of vertical periods” as required by independent claim 1.

As such, independent claim 1 is patentable over Kikuchi, Taira, Shiga and Canfield, whether considered alone or in combination. Dependent claim 6 is patentable over Kikuchi, Taira, Shiga and Canfield for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

**Conclusion**

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 08228/095001).

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